



PATENTS
EL 984 915 606 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Miller, *et al.*) Notice of Allowance: June 16, 2004
Serial No: 09/864,905) Art Unit: 1624
Filed: May 24, 2001) Examiner: Liu, Hong
For: **Pharmaceutical Compositions and Methods for Use**

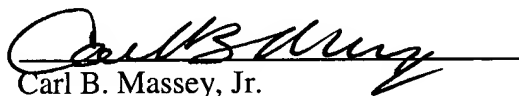
COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

MAIL STOP ISSUE FEE
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants acknowledge the Examiner's stated reasons for allowance, but Applicants do not concede or admit that the Examiner's stated reasons are accurate or apply to all the claims, nor that the stated reasons are the only reasons for allowability of the claims.

Respectfully submitted,



Carl B. Massey, Jr.
Reg. No. 44,224
Attorney for Applicants

Date: Sept. 15, 2004
Telephone: (336) 721-3681
Docket No.: T103 1421.1

Womble Carlyle Sandridge & Rice
P.O. Box 7037
Atlanta, GA 30357-0037



EXPRESS MAIL CERTIFICATE

"Express Mail" mailing label number : EL 984 915 606 US

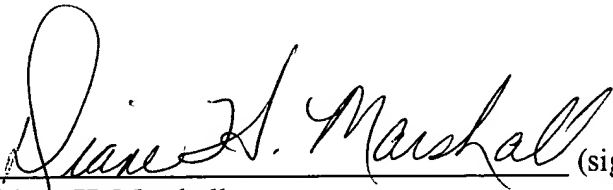
Date of Deposit : September 15, 2004

Type of Documents : Issue Fee Transmittal (2 pages);
Form PTOL-85 Part B (1 page)
(in duplicate);
Comments on Statement of Reasons for
Allowance (1 page);
and
Return Postcard

Serial No. : 09/864,905

Filing Date : May 24, 2001

I hereby certify that the documents identified above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and are addressed to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

 (signature)
Diane H. Marshall



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TRANSMITTAL OF ISSUE FEE

MAIL STOP ISSUE FEE

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:


In reply to the Notice of Allowance and Issue Fee Due mailed June 16, 2004, Applicants submit herewith the Issue Fee due September 16, 2004, in the above-captioned application. A copy of the form PTOL-85, Part B, and Applicants' Comments on Statement of Reasons for Allowance are also submitted simultaneously herewith.

Applicants note that PTO 1449s with the Examiner's initials indicating the Examiner's consideration of two PTO Form 1449s, filed August 20, 2001, and May 24, 2004 have not yet been received. In a telephone conversation today to Examiner Shah's office, the undersigned was informed by a staff member, Margaret Stevens, that the latest Supplemental Information Disclosure Statement and PTO 1449, filed May 24, 2004, was in the PTO file and would be forwarded to the Examiner. At Ms. Steven's request, Applicants' undersigned representative forwarded another copy of the Information Disclosure Statement and PTO Form 1449 (filed August 20, 2001) by facsimile to Ms. Stevens on September 14, 2004. Applicants are awaiting copies of the initialed PTO 1449s.

The Commissioner is authorized in the accompanying "Part B—Fee(s) Transmittal" to charge the total fee due of \$1,630.00 to Deposit Account No. 09-0528. Although it is not believed that any additional fees are due, the undersigned hereby authorizes the Commissioner to charge any deficiencies or credit any overpayment to the foregoing Deposit Account.

Respectfully submitted,

Date: Sept. 15, 2004


Carl B. Massey, Jr.
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Attorney for Applicants

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